

Chesapeake Bay land deal undergoes scrutiny in race for county executive

By Katherine Shaver

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Anne Arundel County's recent \$2.6 million purchase of land near the Chesapeake Bay has come under scrutiny in the race for county executive, with the Democratic challenger accusing County Executive Steve Schuh (R) of paying an inflated price to bail out a political supporter.

The land owner, developer Charles Snyder, sold the 189 acres to the county over the summer, after he lost a decade-long fight to build 11 homes on part of the property. Most of the houses would have fronted Deep Cove Creek in Churchton, about 30 miles east of Washington.

Snyder's plans fell through after a Maryland panel that oversees the enforcement of state laws designed to protect the ecologically fragile shoreline determined that the county had improperly approved Snyder's layout for a new subdivision named Turtle Run.

Environmental activists initially praised the county for buying Snyder's property because it meant the land would be preserved as public parkland and safe from development. But some environmentalists say they have since found that the county's appraisal, on which the \$2.6 million price was based, continued to assume that Snyder's 11-home plan would have been allowed.

That assumption, they said, resulted in the county overpaying because the property appeared to be far more valuable than it would have been with more limited development potential. Environmental activists had argued that the parcel where Snyder wanted to build the 11 homes could legally have only one. Other restrictions, the activists said, could have limited Snyder to as few as eight home sites total, rather than the full 28 he envisioned.

Schuh's Democratic challenger, Stuart Pittman, said during a recent debate that



Mike Shay, of the South Arundel Citizens For Responsible Development, points to wooded property that Anne Arundel County bought for \$2.6 million. A developer had intended to build 28 houses on the site, but he lost a battle to build 11 of the homes in a restricted area. (Katherine Shaver/The Washington Post)

the county paid an "inflated" price — "probably double what it was worth."

The county bought the land with money that, unlike most major purchases, did not have to be approved by the county council. The money came from a fund that developers pay into in lieu of replacing trees that they cut down.

"I think it was a deliberate decision by the county to pay that full price to make sure a developer was happy," Pittman said in an interview. Developers "are big political donors, and the relationship between Charlie Snyder and the county executive goes back a long way."

Schuh did not respond to several requests for an interview. In the September debate against Pittman at the offices of the Chesapeake Bay Foundation, he said the land was "pristine" and noted that it abuts Franklin Point State Park.

"It was a wonderful purchase," Schuh said in a video recording of the debate,

"and right exactly on the appraised value."

He said the county had a "long-standing" policy that public officials not accept campaign donations from developers with pending proposals.

"If there's any kind of conflict of interest presenting itself through contributions," Schuh said, "we turn it down."

Pittman's supporters point to state campaign finance records showing that Snyder and his company have contributed more than \$12,000 to Schuh's political campaigns since 2010, including while Snyder had development proposals pending before the county.

They also say the county reversed itself in Snyder's favor after Schuh took office. While the county had previously rejected Snyder's Turtle Run proposal, Schuh's administration approved it in 2016 and defended it before the Maryland Critical Area Commission.

The commission, which monitors shoreline development, ultimately determined that the county's approval hadn't complied with state law. The county's Board of Appeals, which had considered the development battle for more than 18 months, subsequently declared the approval of Snyder's plan to be "null and void."

"It was clear they were actively working hard to help this developer develop his land," Pittman said. "When he lost, I think the county executive wanted to help the guy walk away with a windfall. . . . [The county] paid him for his financial loss on the property."

Turtle Run valuation

As in many suburbs, the campaigns for Anne Arundel County executive have revolved, in part, around the question of how quickly communities should grow, particularly as residents slog through traffic and complain about overcrowded schools. Southern Anne Arundel, where Snyder proposed his development, is more rural and the area's identity is closely tied to its proximity to the Chesapeake Bay.

The Turtle Run property, which is almost all wooded, sits between a sewage treatment plant and Deep Cove Creek, on Shady Side Peninsula. The shallow creek, lined with grassy marshes, leads directly to the bay.

Mike Shay, who fought Snyder's proposal on behalf of the South Arundel Citizens for Responsible Development, said the area where Snyder wanted to build — and the land the county bought — serves as an important wooded buffer to the creek. Because it's considered a "critical area," within the first 1,000 feet of the shoreline, it's also covered by state and county laws that limit development to help protect waterways from polluted

rainwater running off driveways, rooftops and other impervious surfaces.

The county's purchase was "important" and "appropriate," said Shay, a Democrat who's running for the state House of Delegates.

"But we're shocked and appalled at the appraisal and the price," Shay said. "They valued this land like he could have built those houses."

Schuh's spokesman, Owen McEvoy, called Pittman's criticisms of the appraisal "politically motivated falsehoods" and "the lowest form of pandering to the environmental community."

In an email, McEvoy said the appraisal was accurate. Snyder's land "was still very much developable" even after the state commission's decision because the property still allowed for nine home sites to be scattered throughout. He said the county asked the appraiser to base the land's value on Snyder's higher-density plan because the county believed Snyder would have ultimately prevailed in court.

McEvoy said the county plans to build hiking trails and plant trees to provide "a new recreational amenity" for the public.

"For 15 years, environmentalists had been trying to prevent anything from getting built on that land," McEvoy said. "Now nothing of consequence will, and we fail to see why they continue to complain."

Shay said the inflated price stemmed from where the appraisal assumed Snyder could build the homes. Some of the original Turtle Run lots scattered across the property were on the narrowest and shallowest part of the creek, where canoes get stuck and low tide leaves only mud. Those lots, he said, were far less lucrative than those on the deeper part of the creek, where Snyder clustered his home sites to be boat-accessible.

Snyder referred questions to his lawyer, Charles Schaller.

Schaller said Snyder had wanted to cluster the homes on the middle parcel because it was higher ground and easier to build on than the property's marshland and other wet soil. It also would have resulted in less environmental impact than building the houses farther apart, he said.

The per-acre price the county paid for Snyder's land was in line with what the state paid in 1999 to create the nearby Franklin Point State Park, he said.

Schaller rejected Pittman's statements that the county paid more than necessary for Snyder's property because of his campaign contributions to Schuh.

"It's just wholly inconsistent with who Mr. Snyder is and who Mr. Schuh is and how the process works," Schaller said. "It's just an incorrect statement. It's a fallacy."

The Annapolis-based appraiser, George Peabody, wrote that his Turtle Run valuation was based on a "hypothetical condition" because he had assumed the "11-lot subdivision density" that Snyder had wanted. Peabody also noted that the Critical Area Commission had already "dismissed" Snyder's plan.

In an interview, Peabody said he knew there "were some legal proceedings" regarding the Turtle Run property but said he based his appraisal on planning documents provided by the county, who was his client. The plan of the property included in his appraisal shows the home sites clustered at the deeper — and more valuable — part of the creek, as Snyder had wanted.

"I can't tell you why they picked that particular scenario" to appraise, Peabody said. "You'll have to ask them. . . . My job was to follow their instructions."

McEvoy, the county spokesman, said the county provided Peabody with information it believed was "legally supportable."